

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:12-cv-04387-SVW-MRW	Date	October 10, 2012
Title	Henrik Avanessians v. Legal Recovery Law Offices Inc et al		

Present: The Honorable	STEPHEN V. WILSON, U.S. DISTRICT JUDGE	
Paul M. Cruz	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:
N/A		N/A

Proceedings: IN CHAMBERS ORDER re Motion to Dismiss filed by Defendant Legal Recovery Law Offices Inc. [12]; Motion to Dismiss and Request for Sanctions filed by Defendants Client Services Inc, Nelson Watson and Associates LLC [13]; Motion to Dismiss filed by Defendant Northland Group Inc. [14]; Motion to Dismiss filed by Defendant Hunt and Henriques [18]

On May 21, 2012, Plaintiff Henrik Avanessians (“Plaintiff”), represented by counsel Arshak Bartoumian, filed a complaint against the above-captioned Defendants. (Dkt. 3). Between August 21, 2012 and September 7, 2012, each of the Defendants filed a separate Motion to Dismiss. (Dkt. 12, 13, 14, 18). The hearings on the motions were consolidated into a single hearing scheduled for Monday, October 15, 2012.

Local Rule 7-9 requires Plaintiff to file an Opposition not later than ten (10) days after service of the motion in the instance of a new trial motion and not later than twenty-one (21) days before the date designated for the hearing of the motion in all other instances. Local Rule 7-12 provides that “[t]he failure to file any required paper, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion.” See also Ghazali v. Moran, 46 F.3d 52 (9th Cir. 1995) (affirming the trial court’s order granting a motion to dismiss on the basis of plaintiff’s non-opposition).

Pursuant to the Local Rules, Plaintiff’s Opposition was due no later than September 24, 2012. Plaintiff failed to file an Opposition by that time and certain Defendants therefore filed a Notice of Non- Opposition on October 4, 2012. (Dkt. 24). As of the date of this Order, Plaintiff has yet to file any response to the Motions. Accordingly, the Court construes Plaintiff’s failure to oppose as consent to granting the Motions.

For the foregoing reasons, the Motions to Dismiss are GRANTED and the action is DISMISSED WITHOUT PREJUDICE. The hearing scheduled for October 15, 2012 is VACATED.

Initials of Preparer

PMC